

Exhibit B

Case Name: U.S. v. Darnell Feagins

Conviction Date: 12/08/2022

Docket#: 20-CR-218
CinderBlockBlue (Jane)

Request Date: 12/13/2022

Guidance for Use of Victim Impact Statement

Title 18, United States Code, Section 3771(a) provides certain rights to victims of federal crimes. Those rights include the right to be reasonably protected from the accused, the right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding, and the right to be treated with fairness and with respect for the victim's dignity and privacy.

If a U.S. Department of Justice employee fails to respect a victim's rights, a process is available by which the victim may file an administrative complaint. The Attorney General must take and 'investigate complaints relating to the provision or violation of the rights of a crime victim' and discipline may be imposed upon the employee for a 'willful or wanton' failure to protect a victim's rights. The complaint process is more fully described at 28 C.F.R. 45.10.

Title 18, United States Code, Section 3509(d) provides additional protections for crime victims who are under the age of 18 at the time of the proceeding, and includes specific procedures to protect the child's privacy.

To comply with the provisions of 18 U.S.C. § 3771(a)(1), (4), and (8), prosecutors should follow these guidelines when obtaining and using victim impact statements in child pornography cases:

1. When providing this statement, the victim only consented to its use at sentencing, probation, or parole proceedings. Therefore, in order to respect the terms of the victim's consent, this statement should not be used for any other type of proceeding.
2. Victims may withdraw or revise their statement. Therefore, prosecutors should obtain the statement as close as possible to the sentencing date for each individual defendant, in order to best ensure that the most up-to-date statement is used at that sentencing.
 - a) Once obtained, the statement should only be used in connection with the individual defendant being sentenced. Rather than re-using statements in subsequent sentencings, a victim impact statement should be obtained separately for each and every individual defendant being sentenced.
3. The following measures will help protect the victim's safety, privacy, and dignity as provided in Section 3771(a)(1) and (8) and, if applicable, Section 3509(d):
 - a) The content of this statement should only be disclosed to the Court, the Probation Office, the defendant, and his counsel. The victim's personal or identifying information should be redacted from the statement.
 - b) Providing the statement to the Probation Office for inclusion in the pre-sentence report best protects the victim's privacy as those documents are not publicly available. If the statement is filed with the court by letter or as part of a sentencing memorandum, it should be filed under seal.
 - c) Prosecutors should avoid, where possible, referring to identifying information about the victim in open court.
 - d) The statement should be stored in a secure manner and location, and properly destroyed once the case is completed.
4. When requesting a statement on behalf of a state or local prosecutor, prosecutors should either:
 - a) obtain a representation from the state or local prosecutor that there are comparable laws or procedures in the state or local jurisdiction that provide for the protection of a victim's safety, privacy, and dignity; or
 - b) obtain a representation from the state or local prosecutor that they agree to abide by these guidelines and the provisions in 18 U.S.C. § 3771(a)(1) and (8) (which provide that victims should be treated fairly and with respect for their safety, privacy, and dignity), and, in cases where the victims are still minors, 18 U.S.C. § 3509(d) (which provides certain privacy protections).
 - c) Only victim impact statements that are marked "federal, military, state, and local cases" can be provided to state and local prosecutors. If a statement is marked "federal and military cases only" it means that the victim has not provided consent for the statement to be used in any other type of criminal proceeding.

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Victim Impact Statement

Jane – Victim in the *"Cinder Block Blue child pornography series"*
February 8, 2015

Question: How has the sexual abuse that you suffered impacted you?

I have lots of hatred toward my father. If I could, I would hurt him just as much as he hurt me. He is still causing me pain. It is still affecting me. I have a lot of anger. There are so many things to be angry at in the world. I didn't used to be like this, I used to be shy and calm. I have intense emotions, I feel angry or sad, and it is hard to calm down. The sadness is terrible in intensity because I won't stop crying and the anger is really bad too. I feel hopeless, like nothing is going to get better.

The abuse made me more fearful of the outside world. I'm definitely a more nervous person than I used to be. Everything makes me nervous. I walk into a room and I'm really nervous. I always feel like something is going to happen. I get this terrible feeling.

I'm definitely not as social. I have terrible trust issues. I'm really different around guys. I cannot have a guy doctor. I just get really nervous and stuff. It took me way longer than a normal person would to get along with my stepdad. I still don't call him Dad. It is kind of a, not a good word anymore.

I feel annoyed about others knowing. Because one person knows it could become a big spiral of everyone knowing. I don't tell everyone, only [two friends]. I'm hoping to keep it that way.

I'm kind of fearful of any sort of violence. Like if you lift a hand or look like you are mad, it freaks me out.

All the marijuana he gave me, I think damaged my brain. I have such horrible memories from it.

I don't want him to ever get out of jail and come and try to find me.

Question: How has the existence of the images and videos of the sexual abuse impacted you?

I know there are like hundreds of pictures and videos on several websites. Other people post them, they are probably everywhere by now. It is all across the country and probably in different countries too. I know you can't delete them. It just makes me like freaked out and I know it is never going to stop. It is just going to keep on. I'm sure most of them are passing it on to other people. People are going to come across it more frequently. They tell their friends and their friends see me.

Knowing people are watching what happened gives me a mix of anxiety, sadness, anger and it disgusts me. If they see a video of me, they know everything that went on. It doesn't help with my fear at all. If it wasn't out there, I wouldn't be as fearful as I am now.

It scares me. I'm definitely afraid of running across someone who has seen them and recognizes me. I know for sure I'll run into people who have seen them. It gives a more likely chance I'm going to run into someone and get raped and stuff because someone recognizes me. I would not

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feel safe if they approached me. I don't feel safe when I am by myself. If I am alone I will be carrying a lot of pepper spray.

I'm always in the midst of someone who has seen the videos. Like in this town. I feel self-conscious. It freaks me out and makes me want to hide myself. I know it is definitely going to affect my social life. If I ever run into someone like that it will make me even more distrustful than I am. Even the thought of it makes me just want to stay inside and not come out and see the outside world.

I feel terrible about being a part of it. I feel guilty even if I didn't do anything. If anyone sees them they'll think I did it for the fun of it, like I actually liked it. The people that watch it, I'm sure they get off on it and like to think that I liked it. But he always made me be good for the videos. It could just give more hope to them because they could say, "Oh, they made so many videos. I'll be able to do that." They'll probably get off on it and stuff and do that to their kids.

Question: How do you think the existence of the images and videos of the sexual abuse will impact your future?

It doesn't give me a very bright future. I don't see myself ever getting a husband. I'm just attracted to not all that good people. I don't see myself having children. I don't want kids because I'm just so fearful of something happening to them, like a school shooting, rape, or their dad ends up being a psycho. I see a lonely future.

I don't think I'm going to make it very far, like the social problems I have. Like I'm going to walk into a job and not to talk to anyone. When I first went to school I thought about kids going on the Internet and knowing who I am. I fear that I'd get weird looks and I wouldn't make friends easily. I like being accepted by people and that would definitely not help. There are some jerks out there that would bully you about it.

I always wanted to be more famous, to be a famous animator. I know that will never happen to me. It would come out, the whole world would know. Even not being famous, it could still get out there. One person could tell another and it goes on and on and the whole town knows. It is what happened in [the town where I lived], it happened there. What is to stop them from telling a person in another town?

Question: How long do you think your problems will last?

Up until my 40s or 50s or something.